

Appl. No.10/652,651
Art Unit: 1771

Applicant: Brouard, Marcel
Examiner: Elizabeth M. Cole

REMARKS

Rejections under 35 USC 112

Examiner has rejected claim 11 as failing to comply with the written 5 description requirement and as being indefinite under 35 USC 112, first and second paragraphs, respectively. Accordingly, Applicant has canceled pending claim 11 and Examiner's rejections under 35USC 112 should be withdrawn.

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Rejections under 35 USC 103

None of the prior art documents discloses a plurality of member hooks each member hook providing a shear resistance in all directions, as claimed in newly amended claim 7.

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Even though the mushroom shape hook was known [Manor col. 6, lines 57 to 59: i.e., hook and loop systems, useful in the present invention include mushroom hooks, 'J' hooks, stalks, and 'T' hook], it is not obvious that this particular hook shape is resistant to shear effort in 20 all directions, as opposed to the other two shapes namely T shape and J shape, and as disclosed in the background of the present invention on page 9, lines 5 to 9 and in the reported experimentation page 9 lines 11 to 19 [The mushroom shapes offer a form of hook which is equally strong all around, on 360 degrees. They tend to grab more than one 25 fiber at a time. Hence, they are resistant to shear effort applied in any direction (note that a shear test is applied between two parallel pads which remain stuck together when the shear resisting strength is less

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than that of a pull by "an average male". It is then very difficult to separate two pads when a mushroom shape hooks are used slidingly and in combination with regular loop) *and stay easy to pull away when an effort is applied in pulling apart* (this last line refers to a tension effort which is happening when two pads are separated by pulling them away from one another, which is not the case in a static application when the pads are pressed together between a chair leg and a floor)].

What makes the mushroom shape particularly useful is that it is used in combination with a felt pad that has a totally reinforced central layer 10 wherein: "...*An adhesive is then injected on the superior surface which is now incorporated with a hardened material (latex for example)...*" (page 8 of the Specification, lines 16 and 17). The result of that combination is quantified in an attached Declaration defining the load necessary to pull part the mushroom-shapes versus J-shaped hooks, the result being of the 15 order on 100% increase for example, from 28 lbs to 58 lbs, and with increased pressure from 39 lbs to 95 lbs.

Furthermore, in the claims the reinforced material is not meant to utilise "low-melt fibers" on a surface such as reported by Hanes which would merely harden a surface and scratch a floor, but a profound impregnated 20 latex which gives the much increased shear resistance that we have found. In consequence: we have reviewed and narrowed the claims to define the novel claimed structure.

None of the prior-art pads provides these new and unexpected results with hooks positioned in a latex impregnated environment and providing a 25 shear resistance in all directions. Since the novel above physical features of applicant's device provide these new and unexpected results over any reference, applicant submits that these new results

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indicate unobviousness and hence patentability. Accordingly, applicant respectfully requests that the Examiner's rejections of claim 7 under 35 USC 103(a) be withdrawn.

Dependent claims 8-10 and 12-15 should be found allowable by the
5 Examiner since they depend on newly amended claim 7 as hereinabove described, and the corresponding Examiner's rejections under 35 USC 103(a) be withdrawn.

Claims 12 and 14 have been amended to now depend on amended claim 7 instead of claim 11 which has been canceled.

10 I hereby declare that no new matter has been added nor any technical information that was not present in my application as originally filed. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were mad with
15 the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the Application, any patent issuing thereon, or any patent to which this verified statement is
20 directed.

Applicant respectfully requests that timely Notice of Allowance be issued in this case.

Respectfully submitted,

Raymond Perron or Marcel Brouard
c/o Paul Biron P.O. Box 0732, Jackman, ME
04945-0732 Tél: 1-888-637-0553